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International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-seventh session
31 July - 25 August 2000

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination

Norway

1. The Committee considered the fifteenth periodic report of Norway (CERD/C/363/Add.3) at its 1426th and 1427th meetings (CERD/C/SR.1426 and 1427), on 17 and 18 August 2000, and at its 1434th meeting (CERD/C/SR.1434), on 23 August 2000, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the detailed updating report presented by the Government of Norway, which follows the Committee's guidelines and contains relevant information about the implementation of the provisions of the Convention in the State party. The Committee particularly welcomes the opportunity to continue a constructive and open dialogue with the State party and appreciates the detailed answers to questions raised and concerns expressed during the consideration of the report.

B. Positive aspects

3. The Committee notes that the State party consulted the Government's Advisory Committee on Human Rights as well as a number of NGOs in the drafting of its report.

4. The Committee welcomes the adoption of the Human Rights Act in anticipation that it will contribute to the implementation of the Convention.

5. The Committee welcomes the establishment of the Centre for Combating Ethnic Discrimination and trusts that the State party will ensure that it receives sufficient support to operate as an independent entity.

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6. The Committee welcomes the adoption of the Plan of Action for Human Rights as well as the Plan of Action for Recruiting Persons with an Immigrant Background to the State Sector for the period 1998-2001 to reduce structural barriers to employment and to improve measures targeted at the attitudes and practice of employers.

7. The Committee also appreciates actions by the Ministries of Education, Health and Social Affairs, the Council of Judges and the Directorate of Immigration to develop training courses to increase the knowledge and skills of public servants and judges in the prevention of racial discrimination.

8. The Committee notes that changes in policies for the reception of asylum-seekers and refugees and the institution of an Appeals Board should improve present protection against racial discrimination.

9. The Committee is satisfied that the State party is funding projects such as EXIT to develop strategies to discourage young people from supporting racist groups.

10. The Committee particularly welcomes the State party's action in apologizing to the Roma for injustices they have suffered in the past.

C. Concerns and recommendations

11. While it welcomes the incorporation of the International Covenant on Civil and Political rights, the International Covenant on Economic, Social and Cultural Rights and the European Convention on Human Rights into a single (Norwegian) Human Rights Act, the Committee is concerned that the International Convention on the Elimination of All Forms of Racial Discrimination has not been similarly incorporated. The absence of an explicit prohibition of racial discrimination in the Norwegian Constitution increases this concern. The Committee recommends that the body charged with drafting the Human Rights Act be further encouraged to introduce the provisions of this Convention into the new statute.

12. The Committee notes that there has been little progress in monitoring racial discrimination through record-keeping of racist incidents, indictments, sentences and compensation. The Committee maintains its request for information on court decisions on racial discrimination and recommends that the State party review its procedures for monitoring racist incidents in order to increase their effectiveness.

13. The Committee recommends that the effectiveness of the training courses referred to in paragraph 428 above be assessed in due course.

14. With respect to the implementation of article 4 of the Convention, the Committee notes that racist organizations have not been prohibited. The Committee reminds the State party that in its opinion, prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with the right to freedom of opinion and expression.

15. The Committee is concerned that persons seeking to rent or purchase apartments and houses are not adequately protected against racial discrimination on the part of vendors. It recommends that the State party give full effect to its obligations under article 5 (e) (iii) of the Convention.

16. Noting that a commission has been established to review the State party's legislation against racial discrimination, the Committee recommends that consideration be given to the introduction of provisions within other branches of its legislation to supplement the provisions of the Criminal Code wherever this might produce more effective protections.

17. The Committee expresses concern over reports of racial discrimination in access to places of service to the general public, notably restaurants and discotheques, and over reports that the criminal law does not always provide effective protection. The Committee recommends that licences to operate such establishments include a prohibition of racial discrimination.

18. The State party is invited in its next report to provide further information on the following issues: (a) the functioning and first results of the Appeals Board for Asylum and Immigration Cases; (b) the steps taken to facilitate employment of minorities in the public sector; and (c) the results of the two plans of action mentioned in paragraph 11 of the State party's report.

19. The Committee recommends that the State party's reports be made readily available to the public from the time they are submitted and that the Committee's concluding observations on them be similarly publicized.

20. The Committee recommends that the State party's sixteenth periodic report, due on 5 September 2001, be a comprehensive report and that it address the points raised in the present observations.